

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO *ex rel.*
State Engineer,

Plaintiff,
v.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941 REGACE 7/11/05

RIO CHAMA STREAM SYSTEM
Rio Cebolla, Section 3

Subfile No(s). : CHCB-007-0003

ORDER CORRECTING CLERICAL ERRORS

THIS MATTER is before the Court on the June 28, 2002 motion (Docket No.6760) filed by the plaintiff, State of New Mexico, *ex rel.* State Engineer, for an order correcting clerical errors in the Consent Order(s) identified below in this cause.

The Court, being fully advised, finds the motion to correct clerical errors is well taken and should be granted.

IT IS THEREFORE ORDERED that the rights of the Defendant(s) to divert and use the public waters from the Rio Chama Stream System, Canjilon Creek, Section 3, are correctly set forth as follows:

6766

GUSTAVO MARTINEZ
ROSINA O. MARTINEZ

Subfile No.: CHCB-007-0003

A. Irrigated Lands (Surface Water Only)

Office of the State Engineer Files No(s) 2631

Priority: Reserved for future determination by court order entered July 25, 2000.

Source of Water: Surface waters of the Rito Cienega Redonda, a tributary of the Rio Cebolla, a tributary of the Rio Chama.

Purpose of Use: IRRIGATION

Point of Diversion:

Ditch Name: RINCON BLANCA DITCH

Location X: 1,578,548 feet **Y:** 2,012,107 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

Location and Amount of Irrigated Acreage:

Section 10, Township 26N, Range 04E, N.M.P.M.

Pt. SE $\frac{1}{4}$	32.2 acres
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Pt. SW $\frac{1}{4}$	1.9 acres
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Section 15, Township 26N, Range 04E, N.M.P.M.

Pt. NW $\frac{1}{4}$	6.2 acres
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Pt. NW $\frac{1}{4}$	0.6 acres
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Total	40.9 acres
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As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHCB-007-0003.

Amount of Water: Reserved for future determination by court order entered July 25, 2000.

B. No Right (Surface Water Only)

Office of the State Engineer Files No(s) NONE

Priority: NONE

Source of Water: Surface waters of the Rito Cienega Redonda, a tributary of the Rio Cebolla, a tributary of the Rio Chama.

Purpose of Use: NO RIGHT

Point of Diversion:

Ditch Name: RINCON BLANCA DITCH

Location X: 1,578,548 feet **Y:** 2,012,107 feet

New Mexico State Plane Coordinate System, Central Zone, NAD 1983

Location and Amount of Irrigated Acreage:

Section 10, Township 26N, Range 04E, N.M.P.M.

Pt. SE $\frac{1}{4}$	1.8 acres
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Pt. SW $\frac{1}{4}$	11.6 acres
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Section 15, Township 26N, Range 04E, N.M.P.M.

Pt. NW $\frac{1}{4}$	20.1 acres
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Total	33.5 acres
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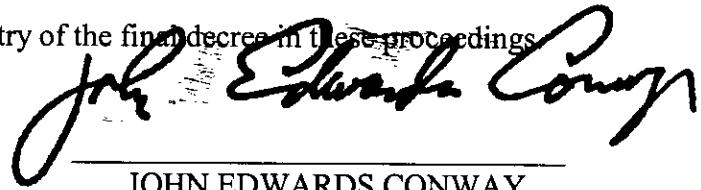
As shown on the attached revised Hydrographic Survey Map for Subfile No.: CHCB-007-0003.

Amount of Water: NONE

IT IS, THEREFORE, ORDERED that the above-named defendants, be and hereby are, adjudicated to have the water rights set out herein above, subject to the right of any other water rights claimant with standing to object prior to the entry of a final decree.

IT IS FURTHER ORDERED that the Defendants, his or her successors, representatives, heirs and assigns, are enjoined from any diversion or use of the public surface waters of the Rio Chama Stream System, Section 3, except in strict accordance with the rights set forth herein or in other orders of the Court.

The court enters this order as a final judgment as to the elements of the Defendant's water rights set forth herein, subject to the right of other claimants to file objections to individual adjudication orders, and to the entry of the final decree in these proceedings.



JOHN EDWARDS CONWAY
UNITED STATES DISTRICT JUDGE

